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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**  
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11 ROBERT NEUMEYER,

12 Plaintiff,

13 v.

14 WAWANESA GENERAL INSURANCE  
15 COMPANY, et al.,

16 Defendant.  
17  
18  
19

Case No.: 14cv181-MMA (RBB)

**ORDER GRANTING PLAINTIFF'S  
EX PARTE MOTION FOR LEAVE  
TO FILE UNTIMELY MOTIONS IN  
LIMINE;**

[Doc. No. 78]

**VACATING AND RESETTING  
PRETRIAL CONFERENCE**

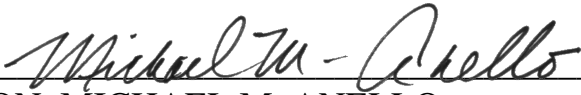
20 This employment discrimination case is set for trial on January 26, 2016. *See* Doc.  
21 No. 49. Currently, a pretrial conference is set for November 30, 2015. *See id.* In  
22 anticipation of the pretrial conference, and pursuant to terms and conditions of the  
23 operative Amended Scheduling Order, the parties timely filed their memoranda of facts  
24 and contentions of law on November 2, 2015. *See* Doc. Nos. 72, 73. Defendants also  
25 filed pretrial motions in limine on November 2, 2015, in compliance with the deadline set  
26 forth by the undersigned's Civil Chambers Rules. *See* Doc. Nos. 74-76; Civ. Cham. R.  
27 VIII ("Motions in limine must be filed at least twenty-eight (28) days before the final  
28 pretrial Conference."). On November 9, 2015, Plaintiff filed an ex parte motion for leave

1 to file untimely motions in limine. *See* Doc. No. 78. Plaintiff supports his ex parte  
2 motion with a declaration from his counsel, citing excusable neglect and inadvertence in  
3 missing the November 2 filing deadline. *See Smee Dec'l* ¶ 4. Defendants oppose  
4 Plaintiff's ex parte motion. *See* Doc. No. 81.

5       Upon due consideration, the Court **GRANTS** Plaintiff's ex parte motion. In  
6 addition, the Court **VACATES** and **RESETS** the pretrial conference for **Wednesday,**  
7 **December 9, 2015 at 9:00 a.m.** All other terms and conditions of the Amended  
8 Scheduling Order remain in full force and effect.

9       **IT IS SO ORDERED.**

10 DATE: November 11, 2015

  
HON. MICHAEL M. ANELLO  
United States District Judge